

In the Court of Appeals of the State of Alaska

Richard DeRemer,

Appellant,

V.

State of Alaska,

Appellee.

Court of Appeals No. A-13002

Order

Date of Order: May 29, 2019

Trial Court Case # 3PA-17-01363CI

The Appellant, Richard DeRemer, filed a motion that requested this Court to restrain the Department of Corrections from enforcing a policy that Mr. DeRemer asserted restricted the amount of legal property an inmate may possess. Because the Department of Corrections had not been served with Mr. DeRemer's motion, this Court put in place a temporary restraining order and invited the Department to respond to Mr. DeRemer's motion.

The Department of Corrections has now filed a response to the Appellant's motion for a restraining order. The Department has also filed a motion asking this Court to accept its response, which was filed late.

The Court has reviewed the Department's response, and has determined that before making a final ruling on the request for a restraining order, it would be helpful to have Mr. DeRemer file a reply to the State's response.

Accordingly, IT IS ORDERED

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1. The motion to accept the late-filed response is **GRANTED**. This decision is entered prior to the due date for an opposition. If a timely opposition is filed, this matter will be referred to a judge for consideration *de novo*. App. R. 503(d).

2. Mr. DeRemer may file a reply, or a notice that he will not reply, to the Department's response to Mr. DeRemer's motion. If Mr. DeRemer decides to file a reply, that reply is due on or before **June 24, 2019**. The reply may not exceed 10 double-spaced pages.

3. The current temporary restraining order remains in place.

Entered at the direction of Chief Judge Allard.

Clerk of the Appellate Courts



Ryan Montgomery-Sythe, Chief Deputy Clerk

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